

# INFORMATION SANS FRONTIÈRES

*A new lobby alliance sees the light, bringing together 4 strategically important library stakeholders in order to further the library agenda at the European level.*

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Information Sans Frontières (ISF) is a consortium which was established in September 2011, with the aim of speaking up for cultural institutions in the political structures of the European Union. ISF represents European libraries, museums, film institutes and audio-visual archives. Its founders are EBLIDA, Europeana, JISC and LIBER.

In its discussions and negotiations among the legislators of the European Union, the principal work of ISF is to represent the views of cultural institutions with regard to copyright, public sector information, and other legal issues affecting cultural policy, research, teaching and learning.

This work requires people, and a team of two provides political advocacy: Helena Lovegrove and Toby Bainton. Many EU laws in the internet age affect libraries, museums, film institutes and similar organisations. When they are drafting new laws, officials and politicians need the advice of the people and institutions who will be affected. The ISF team monitors the progress of the law-making processes in Brussels, and they provide advice whenever it seems to be required. The objective is that new laws will suit cultural institutions better: and more important, the users of cultural institutions will receive a better service.

The advocacy work began in the autumn of 2011, as soon as the consortium was formed. So far it has largely been concerned with the proposed European Directive on Orphan Works. This new Directive aims to allow libraries and other cultural heritage organisations to make greater use of some of the older material in their collections, by digitising copyright works whose authors can no longer be traced, and making the works accessible on the internet. The ISF team has met with officials in the European Parliament, the European Commission and in some of the Permanent Representations in Brussels of the various European Member States. It has closely followed the Parliamentary proceedings. At the time of writing, the precise form of the Orphan Works Directive is difficult to predict, because the Commission, the Parliament, and the Council of Ministers are in the process of reaching a compromise text that they can all agree on.

However some countries have already implemented orphan works legislation – e.g. in Denmark through the Scandinavian tradition of extended collective licensing. According to the European Commission proposal, the Danish arrangements for licensing orphan works would not be disturbed and the scheme in place would continue to be lawful in Denmark. While this solution is fine from a national point of view, it offers no



solution to cross-border licensing, so a legitimately licensed Danish orphan work would not be licensed for use outside of Denmark. In a dynamic perspective of re-use of orphan works across Europe the question of cross-border rights clearance remains unsolved and in the end a hindrance to the success of the European digital agenda.

Another issue that ISF is following closely is a proposal for a revised directive on Re-Use of Public Sector Information. Until now, cultural institutions have been excluded from the scope of the existing Directive. The new proposal includes cultural institutions for the first time, and will affect the ways in which they make their data available for re-use. Broadly speaking, public cultural institutions seem to be given the choice whether or not to make their data available for re-use by commercial players: but if they choose to make a charge to commercial bodies for re-using the data, they must use the same charging mechanism for all commercial bodies on the same basis. ●